

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT, IN AND
FOR UTAH COUNTY, STATE OF UTAH

PROVO RESERVOIR COMPANY,
a corporation

Plaintiff,

-vs-

PROVO CITY, a municipal corporation
et al, and

No. 2388 Civil

WASATCH IRRIGATION COMPANY, a corporation, THOMAS MOULTON, JOHN F. OHLWILER, WADKIN BRIRLEY, all as officers, agents, servants, and employees and persons acting for and in behalf of said Wasatch Irrigation Company, a corporation, defendant, and T. F. WENTZ, Water Commissioner for the above entitled Court.

Defendants.

ORDER TO SHOW CAUSE WHY
DEFENDANT SHOULD NOT BE
PUNISHED FOR CONTEMPT
AND WHY COMMISSIONER
SHOULD NOT ACT IN ACCORDANCE
WITH ORDER OF COURT.

On reading and filing the affidavit of R. J. Murdock, charging the Wasatch Irrigation Company, a corporation, et al, and Thomas Moulton, John F. Ohlwiler, and Wadkin Brirley, all as agents, servants, employees, and persons acting for and in behalf of said Wasatch Irrigation Company with contempt of this Court:

And said affidavit further setting forth that T. F. Wentz as Commissioner of this court acting under and pursuant to the decree in Cause No. 2888 Civil, has failed and refused to have distributed and threatens to continue to refuse to distribute to said plaintiff, waters which it claims under and by virtue of said decree, and it further appearing that an emergency exists with respect to the rights of said plaintiff, claimed under said decree that cannot be compensated in damages; and sufficient cause appearing therefor, it is ordered that the said defendants Wasatch Irrigation Company, a corporation, Thomas Moulton, John F. Ohlwiler, and Wadkin Brirley appear before this court in open court, at the court room thereof, at Provo City, Utah County, State of Utah, on Wednesday, the 18th day of April, A. D. 1934, at the hour of 11:00 O'clock A. M. to show cause why they and each of them should not be punished for contempt as in said affidavit alleged; it further appearing that sufficient cause exists therefor. It is ordered that said Commissioner, T. F. Wentz be, and appear before this court at the time and place above mentioned with said defendants, to show cause why he should not be ordered to divert and distribute forthwith to said plaintiff the said waters claimed by said plaintiff and described in said affidavit.

It is further ordered that a copy of said affidavit and this order be served upon each of the defendants and said Water Commissioner, T. F. Wentz, on this 17th day of April, 1934.

Dated at Provo City, Utah, on the 17th day of April, A.D. 1934.

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CLERK

WATKINS AND HOLBROOK
ATTORNEYS AT LAW
ROUNDY BLDG.
PROVO, UTAH

Judge